

Provisions In The Leon County Code Pertaining To Sidewalk Construction

[To preserve context, entire sections provided – applicable portions highlighted]

Division 5. Substantive Standards and Criteria

Sec. 10-1526. Generally.

- (a) It is the policy of the Board of County Commissioners that the subdivision and/or development of land in the county shall be appropriately regulated and shall proceed in a safe, orderly, efficient, economical and environmentally sound manner.
- (b) Land shall not be subdivided or developed until provision has been made for public facilities and improvements in accordance with the comprehensive plan and county requirements.
- (c) Unless adequate methods of correction are formulated and approved, land which is determined to be unsuitable for development due to poor soil quality, flooding, drainage or other features likely to be harmful to the health, safety and general welfare of residents of the county shall be subject to special limitations or requirements consistent with site-specific features.
- (d) All development of land in the unincorporated area of the county shall be in conformance with the comprehensive plan and applicable ordinances.
- (e) No development shall be approved unless it has been designed so as to reasonably achieve the following:
 - (1) The adequate and efficient supply of utilities and services to new land developments.
 - (2) The prevention of traffic hazards and congestion which result from narrow or poorly aligned streets and from excessive exit and entrance points along major traffic arteries.
 - (3) The provision of safe and convenient traffic circulation, both vehicular and pedestrian, and the minimization of traffic impact on the surrounding area.
 - (4) The protection of public health, safety, and general welfare including protection from flooding and other dangers.
 - (5) The prevention of potential hazards to health and sanitation, especially in those developments served by individual water supply and waste disposal systems.
 - (6) The insurance of proper stormwater management so as to reduce the impact of flooding and protect the receiving natural waterbodies.

(Ord. No. 92-9, § 1(18-6-1), 3-10-92)

Sec. 10-1527. General layout design standards.

- (a) A subdivision and every lot therein, as well as each undivided site to be developed, shall have legal access to a publicly dedicated street. Except for use with subdivisions that are to be platted, legal access shall also include licenses of way which are held by property owners, on the condition that the license holder agrees to execute a license recognition agreement with the county as a condition for the issuance of the permit. The license recognition agreement shall be in a form approved by the county attorney, and shall include covenants

which shall run with the land, acknowledging the existence of a terminable license agreement as the access basis for the issuance of the permit and agreeing that the licensee shall hold the county harmless for the issuance of such permit. Each permit granted pursuant to this license provision shall only be issued after the department has given notice of intent to issue such permit to the owners of all property that abut the license location, other than the licensor and any entity maintaining a public street adjoining the license area.

- (b) ~~A subdivision shall be designed to include pedestrian ways which promote pedestrian mobility in and between residential developments and between residential developments and nearby minor and community development.~~
- (c) No direct driveway access shall be permitted to a canopy road or, inside the urban service area, to a major collector or arterial roadway from any newly created residential subdivision lot, unless a variance is granted by the county.
- (d) Access points for a development shall be designed to prevent avoidable interference with traffic flow.
- (e) Frontage roads when required shall separate commercial development from adjacent arterial and major connector roadways.
- (f) Bicycle lanes and bicycle paths are required in conjunction with planned minor connector and above roadways to provide access in and between developments.
- (g) The following apply to easements:
 - (1) Off-road utility easements shall be at least 20 feet wide. Off-road utility easements may be reduced, if approved by the county engineer or the utility provider, to minimum of 15 feet in width if it can be adequately demonstrated by the applicant that such width is sufficient for the effective operation and maintenance of said utility(ies). The county shall develop criteria to be utilized by the engineer of record in determining whether or not to allow an off-road utility easement width of less than 20 feet.
 - (2) Drainage easements shall conform substantially to the 100-year floodplain of watercourses, waterbodies and wetlands and shall be of sufficient width for construction and maintenance, unless a broader conservation easement is more appropriate.
- (h) The following apply to lots:
 - (1) No lot shall have a buildable area of less than 35 feet between the front and rear yard setback lines nor shall it be less than the required minimum width and depth specified in article X, or subsequent land development regulations which supersede same. Depth and width of lots subdivided for nonresidential purposes shall be adequate for building area, off-street parking, and service facilities required by the type of use and development anticipated. No lot shall have a minimum frontage of less than 15 feet.
 - (2) There shall be no double frontage residential lots access except to provide separation of development from arterial streets or canopy roads or to overcome specific disadvantages of topography, orientation and property size.
 - (3) No development shall occur in areas where physical constraints or hazards exist as determined by Article VII. In such areas, density or intensity of use shall be located in adjacent areas to reflect the constraint.
 - (4) Flag lots are prohibited unless their use is specifically granted by a variance.
 - (5) No new developments shall be permitted which would allow development to occur within 100 feet of the centerline of a canopy road except for legal access (provided no alternative exists) or for health, safety or welfare of the public and only within the written approval of the Board of County Commissioners.

- (6) Lot corners shall be marked with permanent monumentation by a land surveyor upon approval and recordation of the final plat.
- (7) The following apply to blocks in the urban service area only:
 - a. Residential blocks shall not be greater than 1,400 feet in length.
 - b. Through-block pedestrian rights-of-way or easements not less than 21 feet in width in residential blocks greater than 1,000 feet in length shall be required where necessary to provide access to schools, play grounds and other community facilities.
- (8) Preservation of existing protected trees is encouraged and is subject to the provisions of Article VII.
- (i) Private streets providing sole access to one or more lots are permissible only if all the following requirements are met:
 - (1) The minimum width of the right-of-way shall comply with county requirements. Additional width may be required if necessary for drainage or utilities outside the area of the driving surface or on-street parking facilities if permitted. A lesser width may be granted to protect large trees or other environmental features.
 - (2) Design, location, and improvement shall provide for safe intersection with public streets, safe passage of public service and emergency vehicles, and protection of adjoining property, and adequate turnaround at the end of the dead-end.
 - (3) Private streets shall be built to public construction standards; provided, however, that access to lots created pursuant to policy 2.1.9 of the comprehensive plan is not required to comply with this requirement.
 - (4) The term "private street" shall not include driveway.
 - (5) Agreements for the continuing common use of the private street by occupants of the property served, drainage, access easements for public service and emergency vehicles, and continuing private maintenance to keep the street in condition for safe passage of public service and emergency vehicles shall be reviewed and approved in advance by the county attorney.
 - (6) For private streets, the final plat and any sales documents on their face, in boldface letters, shall contain the following language: The county does not have responsibility for maintenance of the streets and drainage easements serving this property, if any, and the purchaser may be responsible for such maintenance.
 - (7) The land area within a private street, stormwater, conservation areas, and other such private facilities shall not be included in calculations for meeting design standards for individual lots as specified in Article X. Common ownership and maintenance of these private facilities shall be provided.
- (j) Within developments created pursuant to this article, the applicant shall install, grade, and construct all new streets in accordance with the requirements and specifications of the county.
- (k) Sidewalks and bikeways either along streets or through a separate system of recorded easements shall be provided in residential developments created inside the urban service area and approved pursuant to these regulations and shall be installed in accordance with the requirements and specifications of the county.
- (l) The following design standards shall apply to all streets:

- (1) All streets, whether public or private, shall be paved within the urban service area and designed in accordance with the Green Book standards for pavement and base specifications.
- (2) Pavement widths, median strips, parking lanes, sidewalks and other traffic engineering features shall be constructed, unless otherwise herein specified, in accordance with adopted policies and guidelines of the Board of County Commissioners.
- (3) Within or adjacent to the proposed development, arterial and collector streets shall provide for the continuation of arterial or collector streets from surrounding areas, except where topographic or other conditions make such continuance projection unnecessary, or impracticable.
- (4) Local streets within or adjacent to subdivisions in residential neighborhoods shall be so designed that their use by through traffic is discouraged.
- (5) Street jogs shall meet the offset standards established by the engineer.
- (6) Street intersections shall not include more than four street approaches.
- (7) Streets shall be designed to intersect as nearly as possible at right angles and no street shall intersect another at less than 75 degrees, provided that other arrangements for smooth merging of traffic shall be permitted when the total effect of the intersection is to reduce traffic hazards and provide for smooth traffic flow at the intersection as a whole.
- (8) A roadway which connects two public roads classified higher than local is a connector road and shall be built to public standards and dedicated to the public for maintenance.
- (9) In the urban fringe and within the urban service area dead-end streets shall have at least minimum turnaround dimensions for a single unit design vehicle.
- (10) In the urban fringe and within the urban services area, any new street that exceeds one lot in depth will require construction of a temporary turnaround.
- (11) All new streets shall be designed and built with geometric features to accommodate a single-unit design vehicle.
- (12) Railroad rights-of-way and limited-access highways, where so located as to affect the development of adjoining land, shall be treated as follows:
 - a. In residentially zoned districts, the lot depth adjacent to the railroad right-of-way or limited-access-highway shall be 25 feet more than the minimum required by Article X. No structure shall be placed within 25 feet of such lot adjacent to the railroad right-of-way or highway.
 - b. No street which crosses a railroad at grade shall intersect another street within 150 feet of the railroad right-of-way, except that such minimum shall not apply in nonresidential subdivisions when the street is neither the primary nor sole accessway to the adjacent lots.
 - c. Traffic signals shall be required where indicated by the county engineer.
- (m) The following apply to street names:
 - (1) Streets which are extensions of existing streets shall have the same name.
 - (2) No street names shall be used which will duplicate or be confused with the names of existing or proposed streets.
 - (3) All street names shall be approved by the county administrator prior to the approval of the site and development plan.

- (4) Any changes in names of streets must be approved by the Board of County Commissioners.

[Ord. No. 92-9, § 1(18-6-2), 3-10-92; Ord. No. 94-8, § 3, 3-15-94; Ord. No. 01-05, § 1, 2-20-01]

Sec. 10-1534. General principles relating to natural features.

- (a) The size, shape and orientation of lots and the siting of buildings shall be designed to provide building sites logically related to protected trees, topography, and natural features.
- (b) All lots intended for use as building sites must be capable of being used safely for building purposes, without undue danger from flood or adverse soil or foundation conditions.

~~(c) Lots, streets and building sites shall be designed to maximize protection of natural features, protected trees, sites of historical significance, scenic views and similar assets.~~

[Ord. No. 92-9, § 1(18-6-9), 3-10-92]

Sec. 10-1535. General principles of design relating to impacts on nearby streets and property owners.

Each development shall be designed to:

- (1) Be as compatible as practical with nearby development and characteristics of the land.
- (2) Minimize adverse environmental impacts both on-site and off-site.
- (3) Provide boundary buffers between the proposed development and differing land uses on abutting property as required by Article VII.
- (4) Reduce any adverse environmental and visual impact of parking lots by buffer fences or retaining natural vegetation and trees, or providing landscaping along the edges and within the parking lot.
- (5) Provide fencing and vegetative screens in locations where potential health or safety hazards may arise, such as, but not limited to, waste storage or collection areas, stormwater ponds, sewage treatment facilities, and immobile exposed machinery.
- (6) Maintain roadside trees, which are important to the character of the county, through careful siting of buildings, parking lots and access points.
- (7) In rural areas, control the height, location and intensity of lighting to maintain rural character and to prevent undue amounts of light shining beyond the development onto abutting properties.
- (8) Site buildings, parking lots, and other structures by taking into account the topography of the site and avoiding development in environmentally sensitive areas where feasible.
- (9) Take into account the local comprehensive plan's goals, objectives and policies regarding affordable housing.
- ~~(10) Preserve open space and provide recreational opportunities including pedestrian and bike paths where appropriate to the type of development.~~
- (11) Provide in accordance with this article for the ongoing operation and maintenance of supporting infrastructure which will remain in private ownership.

[Ord. No. 92-9, § 1(18-6-10), 3-10-92]